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United States Senate

WASHINGTON, DC 20510

May 19, 2014

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Mr. Brandon Willis
Administrator, Risk Management Agency
U.S. Department of Agriculture
South Agriculture Building, Room 6092-S
1400 Independence Ave, SW
Washington, DC 20250

Mr. Willis,

I write to request that the Risk Management Agency (RMA) consider delaying the May 25th final planting date for corn in place for many counties in North Dakota. Additionally, I request that RMA consider adjusting final planting dates for early season crops prior to the 2015 crop year to put farmers in a better position to get a crop in the ground.

Final planting dates are generally set to ensure RMA is not exposed to too much risk. A factor that must be considered in the risk analysis is the possibility that a planting window may be set too early in the planting season thereby resulting in more prevented plant claims. During wet planting seasons, a farmer often must face the difficult decision of whether to plant a crop in the days after the final plant date. The greater the separation between planting and the final planting date, the lower the indemnity coverage in a crop insurance policy. By moving a planting date back, farmers would be in a better position to plant the crops they seek to plant making it less likely they will have to file a prevented plant claim. Additionally, a later planting date for some crops could mean lower exposure to the Federal Crop Insurance Program for indemnity payouts due to crops prevented from planting.

North Dakota farmers have contended with multiple wet planting seasons in recent years preventing many acres from being planted. In 2012 alone, nearly 20 percent of farmable acres in North Dakota did not see a crop planted due to wet conditions. This year, only three percent of corn in the state has been planted as of May 12, which means corn farmers have only 13 days to plant the remaining 97 percent of expected acres. Given the current outlook for the 2014 crop year, consideration must be given to policy changes that may allow for more acres to be planted and less prevented plant claims for farmers that seek to get a crop in the ground.

Avoiding a prevent plant year will be especially important in the coming years due to the new 1 in 3 planting rules. Under this rule, farmers will only be able to access crop insurance coverage for crops that are prevented from planting if the acres in question have seen a crop once in the previous three years. If a farmer fails to get a crop in the ground in the 1 in 3 window, the farmer will need to successfully plant a crop two years in a row in order to requalify for coverage.

While I am grateful for the clarity provided by this new rule, I am concerned that many farmland acres in North Dakota will be denied access to prevented plant coverage in the coming years as a

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result of the policy change and consecutive wet seasons. For this reason, consideration of later final planting dates in North Dakota is all the more important to ensure a strong safety net for growers contending with wet seasons.

Thank you for your consideration of this request. I appreciate your dedicated service to American agricultural and rural communities, and I look forward to working with you on crop insurance issues going forward. If you or your staff have questions or require any additional information or assistance, please contact Jack Huerter in my office at 202.224.9894 or jack_huerter@heitkamp.senate.gov.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Heitkamp". The signature is fluid and cursive, with the first name "Heidi" and last name "Heitkamp" clearly distinguishable.

Heidi Heitkamp
United States Senator